

No. 87-6177-CFH  
Status: GRANTED  
CAPITAL CASE

Title: Johnny Paul Penry, Petitioner  
v.  
James A. Lynaugh, Director, Texas Department of  
Corrections

Docketed:  
January 4, 1988

Court: United States Court of Appeals  
for the Fifth Circuit

Counsel for petitioner: Mason, Curtis

Counsel for respondent: Mattox, Jim, Palmer, Charles A.

Entry	Date	Note	Proceedings and Orders
1	Jan 4 1988	G	Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed.
4	Feb 1 1988		Order extending time to file response to petition until March 4, 1988.
5	Feb 29 1988		Brief of respondent Lynaugh, Director, Texas DOC in opposition filed.
6	Mar 3 1988		DISTRIBUTED. March 18, 1988
7	Jun 17 1988		REDISTRIBUTED. June 23, 1988
9	Jun 24 1988		REDISTRIBUTED. June 29, 1988
10	Jun 24 1988	X	Supplemental brief of petitioner Johnny P. Penry filed.
12	Jun 30 1988		Petition GRANTED. limited to Questions 1 and 2 presented by the petition. *****
13	Jul 19 1988		Joint appendix filed.
16	Jul 23 1988		Order extending time to file brief of petitioner on the merits until September 9, 1988.
17	Aug 1 1988		Record filed.
		*	Certified original record, 2 volumes, received.
18	Aug 1 1988		Record filed.
		*	Certified copy of original record, 8 volumes, received.
22	Sep 8 1988		Brief amicus curiae of Harris County Criminal Lawyers Assn. filed.
19	Sep 9 1988		Brief amicus curiae of Billy Conn Gardner filed.
20	Sep 9 1988		Brief amicus curiae of Texas Criminal Defense Lawyers Assn. filed.
21	Sep 9 1988		Brief amici curiae of American Assn. on Mental Retardation, et al. filed.
24	Sep 9 1988		Brief of petitioner Johnny P. Penry filed.
26	Oct 3 1988		Order extending time to file brief of respondent on the merits until November 12, 1988.
27	Oct 24 1988		SET FOR ARGUMENT. Wednesday, January 11, 1989. (4th case) (1 hr.)
28	Nov 10 1988		Brief of respondent James A. Lynaugh filed.
29	Nov 21 1988		Supplemental brief of respondent filed.
30	Nov 30 1988		Reply brief of petitioner Johnny P. Penry filed.
31	Dec 8 1988		CIRCULATED.
32	Dec 8 1988		CIRCULATED.
33	Jan 11 1989		ARGUED.